IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO.238 OF 2005

M/s.Narmada Macadam Pvt. Ltd. ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.241 OF 2005

M/s.Narmada Macadam Pvt. Ltd. ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.242 OF 2005

M/s.Narmada Macadam Pvt. Ltd. ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.246 OF 2005

M/s.Lehra Constructions ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.247 OF 2005

M/s.Lehra Constructions ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.248 OF 2005

M/s.Lehra Constructions ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.249 OF 2005

M/s.Narmada Macadam Pvt. Ltd. ...Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.251 OF 2005

M/s.Shankar Ramchandra Earthmovers Pvt.Ltd. ..Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.252 OF 2005

M/s.Shankar Ramchandra Earthmovers Pvt.Ltd. ..Applicants

V/s.

Union of India ...Respondents

ALONGWITH

ARBITRATION APPLICATION NO.256 OF 2005

M/s.Lehra Constructions ...Applicants

V/s.

Union of India ...Respondents

Shri.U.S. Samudrala for the applicants in all applications.
Shri.Suresh Kumar for the respondents in all applications.

CORAM : D.K. DESHMUKH, J.
DATED : 08/09/2006

P.C.:-

1. Learned counsel appearing for the applicants states that in view of the objections raised on behalf of respondent, applicants shall again invoke arbitration clause afresh restricting it to 20% of the contract amount. Therefore, he seeks leave of the court withdraw the application.

2. Learned counsel for the respondents states that within two weeks from today the General Manager, Western Railway on receiving fresh notices from the applicants shall decide the question whether claims in relations to which the arbitration clause is invoked are arbitrable or not and in case he finds that any of the claims are arbitrable, he will make appointment of arbitrator in accordance with the terms of the contract between the parties within six weeks. In case he finds that none of the claims made by the applicants are arbitrable, then decision to that effect will be communicated to the applicants. Statements are accepted. In view of the statements, applications are disposed of.

(D.K. DESHMUKH, J.)